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Attorneys for Plaintiff
PLANTRONICS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PLANTRONICS, INC., a Delaware
corporation,

Plaintiff,

v.

AMERICAN HOME ASSURANCE
COMPANY, a New York corporation; THE
INSURANCE COMPANY OF THE STATE
OF PENNSYLVANIA, a Pennsylvania
corporation; ATLANTIC MUTUAL
INSURANCE COMPANY, a New York
corporation,

Defendants.

CASE NO. C07-06038 PVT

**STIPULATION AND ~~[PROPOSED]~~ ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE TO APRIL 22, 2008**

(Honorable Patricia V. Trumbull)

STIPULATION

WHEREAS, the complaint was filed on November 29, 2007;

WHEREAS, on November 29, 2007, the Court set an initial case management conference for March 18, 2008;

WHEREAS, on January 31, 2008, plaintiff, Plantronics, Inc. ("Plantronics"), filed a motion to stay the action, pending resolution of underlying litigation currently pending against Plantronics, as to which this action relates;

WHEREAS, concurrently with its motion to stay proceedings, Plantronics filed a motion for an order shortening time on its motion to stay the action, requesting a hearing date on its motion to stay of February 19, 2008;

WHEREAS, on February 1, 2008, this Court denied Plantronics' motion for an order shortening time on its motion to stay the action;

WHEREAS, that order was specifically without prejudice to Plantronics' seeking a stipulated continuance of the scheduling deadlines;

WHEREAS, on February 4, 2008, defendant Atlantic Mutual Insurance Company ("Atlantic Mutual") filed a motion to dismiss plaintiff's complaint, which is set for hearing on March 18, 2008;

WHEREAS, on February 5, 2008, Plantronics re-filed its motion to stay the action, and set the motion for hearing on March 18, 2008;

WHEREAS, pursuant to the Court's November 29, 2007, order, the parties are to meet and confer regarding initial disclosures by February 26, 2008, and to file their Rule 26(f) reports by March 11, 2008;

WHEREAS, the parties agree that it would be more efficient and it would avoid the possible waste of judicial resources to have the benefit of the Court's rulings on the motion to stay and motion to dismiss before the case management conference is held, and before the parties meet and confer regarding initial disclosures, and they file their Rule 26(f) Reports;

WHEREAS, the parties agree that the case management conference should be continued to April 22, 2008, and the associated scheduling deadlines should be continued

1 accordingly;

2 NOW, THEREFORE, subject to the Court's approval, the parties STIPULATE
3 that the case management conference scheduled for March 18, 2008, be continued to April 22,
4 2008, and that the associated case scheduling deadlines be continued accordingly.

5 IT IS SO STIPULATED.

6 Dated: February 11, 2008

LATHAM & WATKINS LLP

7
8 By: Paul T. Llewellyn
9 Paul T. Llewellyn
10 Attorney for Plaintiff
11 Plantronics, Inc.

12
13 Dated: February __, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

14 By: _____
15 Dean A. Pappas
16 Attorney for Defendant
17 Atlantic Mutual Insurance Company

18
19 Dated: February __, 2008

LEWIS BRISBOIS BISGAARD & SMITH

20 By: _____
21 Glenn A. Friedman
22 Attorney for Defendants
23 American Home Assurance Company and
24 The Insurance Company of the State of
25 Pennsylvania
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2 NOW, THEREFORE, subject to the Court's approval, the parties STIPULATE
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5 IT IS SO STIPULATED.

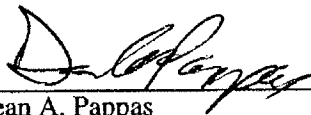
6 Dated: February __, 2008

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8 By: _____
Paul T. Llewellyn
Attorney for Plaintiff
9 Plantronics, Inc.

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Glenn A. Friedman
Attorney for Defendants
19 American Home Assurance Company and
20 The Insurance Company of the State of
21 Pennsylvania

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By: _____
Paul T. Llewellyn
Attorney for Plaintiff
Plantronics, Inc.

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Dean A. Pappas
Attorney for Defendant
Atlantic Mutual Insurance Company

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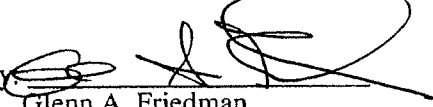
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16 Dated: February __, 2008

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By:  _____
Glenn A. Friedman
Attorney for Defendants
American Home Assurance Company and
The Insurance Company of the State of
Pennsylvania

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ORDER

Pursuant to the above stipulation of the parties, and good cause appearing, IT IS ORDERED that the case management conference shall be continued to April 22, 2008, and that the associated case scheduling deadlines shall be continued accordingly.

Dated: February 12, 2008


Patricia V. Trumbull
United States Magistrate Judge